

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

In re

**BRAZOS EMERGENCY PHISICIANS
ASSOCIATION, P.A.,**

Debtor.

§
§
§
§
§

**No. 10-10737
Chapter 11**

**EMTEL, INC.'S AND JOSEPH DEGIOANNI, M.D.'S JOINDER IN BEPA'S
RESPONSE TO MOTION TO DISMISS CASE**

TO THE HONORABLE CRAIG A. GARGOTTA:

Emtel, Inc. and Joseph Degioanni, M.D., joining BEPA's Response to Motion to Dismiss Case and requesting that the Court not dismiss this bankruptcy case as follows:

1. Emtel, Inc. is a creditor of Brazos Emergency Physicians Association, P.C. (BEPA). Joseph Degioanni, M.D. is a creditor and shareholder of BEPA. Therefore, they are parties in interest.

2. Without waiver of any right to vote for or against confirmation of any particular plan of reorganization or to object to any particular plan of reorganization, the undersigned hereby joins in and adopts BEPA's Response to Motion to Dismiss Case and respectfully requests that the Court allow BEPA the opportunity to seek confirmation of a plan of reorganization.

3. WHEREFORE, «Name», respectfully requests that the Court deny the Motion to Dismiss Case filed by Patrick G. Woods, M.D., Diana Fite, M.D., Steve Matti, M.D. Leeor Peleg, D.O., and George Simons, D.O. and allow the case to proceed towards approval of a disclosure statement and confirmation of a plan of reorganization.

Respectfully Submitted,

/s/ Leonard H. Simon

Leonard H. Simon, Esq.

TBN: 18387400

The Riviana Building

2777 Allen Parkway, Suite 800

Houston, Texas 77019

(713) 737-8207 (Direct)

(832) 202-2810 (Direct Fax)

lsimon@pendergraftsimon.com

COUNSEL FOR EMTEL, INC. AND JOSEPH
DEGIOANNI, M.D.

OF COUNSEL:

PENDERGRAFT & SIMON

The Riviana Building

2777 Allen Parkway, Suite 800

Houston, Texas 77019

(713) 528-8555 (Main)

(713) 868-1267 (Main Fax)

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing has served upon all registered ECF users appearing in the case as of this 26th day of August 2010, including:

/s/ Leonard H. Simon

Leonard H. Simon